



Senate

General Assembly

January Session, 2013

File No. 610

Senate Bill No. 1122

Senate, April 24, 2013

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE EXTRADITION OF FUGITIVES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-65c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 A court shall vacate an order forfeiting a bail bond and release the
4 professional bondsman, as defined in section 29-144, the surety bail
5 bond agent and the insurer, as both terms are defined in section 38a-
6 660, if (1) the principal on the bail bond is detained or incarcerated in
7 another state, territory or country, (2) the professional bondsman, the
8 surety bail bond agent or the insurer provides proof of such detention
9 or incarceration to the court and the state's attorney prosecuting the
10 case, and (3) (A) the state's attorney prosecuting the case declines to
11 seek extradition of the principal, or (B) the state's attorney prosecuting
12 the case decides to seek extradition of the principal and the
13 professional bondsman, surety bail bond agent or insurer provides
14 proof to the court that such bondsman, agent or insurer has paid to the
15 Division of Criminal Justice the costs the division will incur in

- 16 extraditing the principal to the state.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2013</i>	54-65c
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JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Criminal Justice, Div.	GF - Savings	Less than \$200,000	Less than \$200,000

Municipal Impact: None

Explanation

This bill results in savings of less than \$200,000 each year to the Division of Criminal Justice by requiring bail agents to pay for the expenses associated with the extradition of fugitives. The savings from this bill are associated with motor vehicle fuel use during fugitive transportation.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Division of Criminal Justice, FY 12 expenditures

OLR Bill Analysis**SB 1122*****AN ACT CONCERNING THE EXTRADITION OF FUGITIVES.*****SUMMARY:**

This bill expands the circumstances when a court must vacate an order forfeiting a bond and release the professional bondsman, surety bail bond agent, and insurer in cases concerning a principal (the fugitive) detained or incarcerated out of state.

Under current law, the court must take these steps when the (1) bondsman, agent, or insurer provides the court and prosecutor with proof of detention or incarceration and (2) prosecutor declines to seek extradition. The bill also requires the court to vacate such an order if the prosecutor seeks extradition, but only if the bondsman, bail bond agent, or insurer provides proof to the court that he or she paid to the Division of Criminal Justice the costs it will incur in extraditing the principal.

Currently, the division pays the costs of transporting fugitives back to the state.

EFFECTIVE DATE: October 1, 2013

BACKGROUND***Surety Bail Bond Agents and Professional Bondsmen***

A surety bail bond agent, through a contract with an insurer, sells bail bonds in criminal cases and is regulated by the insurance commissioner (CGS § 38a-660 et seq.). A professional bondsman puts up personal assets as bond security and is regulated by the emergency services and public protection commissioner (CGS § 29-144 et seq.).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 44 Nay 0 (04/12/2013)